

Appl. No. 10/803,088
Amendment dated November 9, 2007
Reply to Office Action of August 10, 2007

REMARKS

In the August 10, 2007 Office Action, claims 1-6 and 11-20 stand rejected in view of prior art, while claims 7-10 and 21-23 were withdrawn from examination for being directed to non-elected embodiments. No other objections or rejections were made in the Office Action.

Status of Claims and Amendments

In response to the August 10, 2007 Office Action, Applicants have amended claims 1 and 11, and canceled claims 7-10, 12, and 21-23 as indicated above. Thus, claims 1-6, 11, and 13-20 are pending, with claims 1 and 11 being the only independent claims.

Reexamination and reconsideration of the pending claims are respectfully requested in view of above amendments and the following comments.

Election of Species

In item 1 of the Office Action, Applicants' election without traverse was acknowledged. Thus, non-elected claims 7-10 and 21-23 were withdrawn from further consideration. In the Office Action, cancellation of claims 7-10 and 21-23 is requested. In response, Applicants have canceled claims 7-10 and 21-23.

Rejections - 35 U.S.C. § 102

In item 3 of the Office Action, claims 1-6 and 11-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,282,441 (Raymond). In response, Applicants have amended claims 1 and 11 to define the present invention over the prior art of record.

In particular, Applicants have amended claim 1 to recite that a removal processor is configured to remove the motion components from the pulse wave detection components. Raymond is cited in the Office Action to show a sensor module, a supporter, a motion

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detector, a pulse wave detector, and a removal processor. However, as disclosed in column 8, lines 42-57 of Raymond, monitor hardware 144 of Raymond does not remove the motion components from the pulse wave detection components, but rather utilizes the body motion components, as disclosed in column 3, lines 11-21 of Raymond. Therefore, Applicants respectfully assert that this structure is *not* disclosed or suggested by Raymond or any other prior art of record. It is well settled under U.S. patent law that for a reference to anticipate a claim, the reference must disclose each element of the claim within the reference. Therefore, Applicants respectfully submit that claim 1, as now amended, is not anticipated by the prior art of record. Withdrawal of this rejection is respectfully requested.

Applicants have amended claim 11 to recite that a removal processor is configured to remove motion components by using the second motion detection signal when the second motion detector detects the motion components, and to remove motion components by using the first motion detection signal when the second motion detector does not detect the motion components. Applicants respectfully assert that this structure is not disclosed or suggested by Raymond or any other prior art of record for reasons similar to those described above.

Moreover, Applicants believe that dependent claims 2-6 and 13-20 are also allowable over the prior art of record in that they depend from independent claims 1 and 11, and therefore are allowable for the reasons stated above. Also, the dependent claims 2-6 and 13-20 are further allowable because they include additional limitations. Thus, Applicants believe that since the prior art of record does not anticipate independent claims 1 and 11, neither does the prior art anticipate the dependent claims.

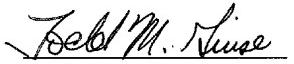
Applicants respectfully request withdrawal of the rejections.

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In view of the foregoing amendment and comments, Applicants respectfully assert that claims 1-6, 11, and 13-20 are now in condition for allowance. Reexamination and reconsideration of the pending claims are respectfully requested.

Respectfully submitted,



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Dated: 11/9/07

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